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Michael Best & Friedrich LLP

Ellen R. Webb
Signature
January 2, 2003
Date of Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Joseph L. Rudolph) Group Art Unit: 3643
Serial No.: 09/858,187)
Filed: May 15, 2001) Examiner: Richard Thomas Price, Jr.
For: "FREE STALL DIVIDER") Date: January 2, 2003
Attorney Docket No.: 65379-9001-US03

Assistant Commissioner for Patents
Washington, D.C. 20231

TERMINAL DISCLAIMER

Sir:

Merrill Equipment Company, located at 2209 Sturdevant Street, Merrill, WI 54452 (hereinafter "Assignee"), by its undersigned attorney of record, represents that it is the owner of the entire interest in the above-identified application (hereinafter "said Application") by virtue of an assignment recorded July 6, 1998, at Reel 9324, Frame 0129. Assignee hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on said Application, beyond the expiration date of the full statutory term of U.S. Patent No. 5,975,026 (hereinafter "said U.S. Patent"). Assignee hereby agrees that any patent granted on said Application shall be enforceable only for and during such period that the legal title of the patent granted on said Application should be the same as the legal title to said U.S. Patent. This

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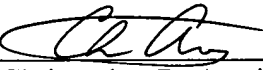
agreement shall run with any patent granted on said Application and be binding upon the grantee, its successors or assigns. In making the above disclaimer, Assignee does not disclaim any terminal part of the patent granted on said Application prior to the expiration date of the full statutory term of said U.S. Patent, in the event that said U.S. Patent later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by reexamination certificate, is reissued, or is otherwise terminated prior to expiration of its statutory term.

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The undersigned is empowered to act on behalf of Assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 1/2/03

By

✓

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